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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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11 ARTHUR FULFORD, on behalf of himself
12 and all others similarly situated,

13 Plaintiff,

14 v.

15 LOGITECH, INC., a California corporation,

16 Defendant
17 _____/

No. C-08-2041 MMC

**ORDER DIRECTING DEFENDANT TO
FILE SUPPLEMENT TO STATEMENT OF
COMPLIANCE**

18 Before the Court is defendant's Statement of Compliance and Response to
19 Objections ("Statement"), filed February 19, 2010, submitted in connection with plaintiff's
20 Motion for Final Settlement Approval, also filed February 19, 2010.

21 In its Statement, defendant has not identified the number of claims made by class
22 members; rather, defendant asserts it should not be required to publicly set forth such
23 number. Defendant also states, however, it has no objection "to provid[ing] the number of
24 claims to the Court, upon the Court's request, for the Court's in camera review, prior to or
25 during the Fairness Hearing on March 5, 2010." (See Statement at 4:3-5.)

26 The number of claims made by class members bears on the adequacy of the
27 proposed settlement. See In re Mego Financial Corp. Sec. Litig., 213 F. 3d 454, 458 (9th
28 Cir. 2000) (identifying, as factor to consider when determining adequacy of proposed


1 settlement, "the reaction of the class members to the proposed settlement").

2 Consequently, the Court finds it appropriate to direct defendant to supplement its
3 Statement by setting forth the number of claims made.

4 Accordingly, defendant is hereby DIRECTED to file, no later than March 2, 2010 at
5 4:00 p.m., a supplement to its Statement and, specifically, to state therein the number of
6 claims made. In light of defendant's assertion that such information should not be publicly
7 disclosed, the Court will allow defendant to file such supplement under seal.¹

8 **IT IS SO ORDERED.**

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10 Dated: February 23, 2010


MAXINE M. CHESNEY
United States District Judge

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¹By the instant order, the Court has not ruled on whether the number of claims is the
28 type of information that should not be made publicly available. Said issue will be
addressed at the March 5, 2010 hearing.